

Appl. No. 09/931,296  
 Amdt. dated June 1, 2005  
 Reply to Office action of March 1, 2005

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## REMARKS

### In the claims

Claims 1-28 are rejected under 35 USC 102(e) as being anticipated by Bentley et al (U.S. Patent No. 6,341,291). The Examiner asserts that with regard to claims 1, 10, 11, 16, 17, 22, 23 and 28, Bentley discloses a program, method and system for maintaining, accessing and executing legacy computer software programs stored in a central location.

Applicants' invention provides a method and system for creating a software storage, retrieval, and execution facility that charts the history and development of software programs. This storage facility would contain collection of legacy software programs that span time from the introduction of computers and software beginning in the 1950's to the explosion of various software products being developed today. The intent is for each software versions to be stored in an executable form.

A user desiring to execute a particular program can access that program via the database and execute the program according to the user's desires. The program accessed by the user may be 20 years old and no longer supported by the creators or suppliers. For example, a user may want to use a FORTRAN program for the 1970's. These programs or specific editions of the program are not readily or commercially available today. With the present invention, the user could retrieve the desired executable edition of the program and perform the desired activity with the program.

In the database, there may be several WINDOWS operating systems, such as WINDOWS 95, WINDOWS 98, WINDOWS 2000 and WINDOWS 2002. All of the programs are WINDOWS operating systems. However, each program is a distinct product. A user may want to use the WINDOWS 95 program. This program is not the current version or the most preferred. But a user may want to use this version. In the present invention, there is not executable connection between this program and any other program in the database.

Bentley describes a system used in product design and development. Bentley provides a system that enables multiple persons working on a project to update the product information. These updates/modifications are recorded in order for everyone to know what changes have occurred, when they occurred and why they have occurred. As

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mentioned, this capability is desirable to enable all persons involved to be on the same page with regard to the current status of a project.

Examiner refers to items 2 and 3 of Figure 10 as multiple types of software programs. Item 2 describes a ProjectBank CDB which is defined as a single file or a controlled collection of files containing the components that comprise the current version of a project. Item 3 is a Project History file which contains a list of all changes to components in the project. Bentley describes a ProjectBank Server program that is the central hub for controlling access to the project data and for coordinating and recording changes to project data. The ProjectBank server creates, opens, operates on and maintains the ProjectBank CDB. From the descriptions in Bentley (col. 15, lines 16-38), neither item 2 or 3 is a software program. Item 2 (ProjectBank CDB) contains all of the components of a project and item 3 (Project History file) contains all changes that have occurred in the project. Bentley also states that no other program (beside the ProjectBank Server) directly accesses the items 2 and 3.

The Examiner also cited col. 2, lines 20-29 in support of the multiple types of software assertion. As stated, Bentley provides a repository for storing a plurality of engineering models (not software programs). Each model includes specific components. Further, each component has a program, which interprets and modifies the fields in the component. Applicants do agree that each component does have a program, however, the component is more than the program contained therein. Further, this program has a dedicated internal task as mentioned in col. 2, lines 26-28. Col. 17, lines 35-45 further describe the ProjectBank history file as a place that holds a chronological list of the changes to the ProjectBank CDB. This file includes a list of components that were changed or added.

The locations cited by the Examiner explain the operations of Bentley and further support Bentley's objective of providing a method and system to manage and track changes to design information created in multi-user, multi-discipline, engineering projects.

In view of the descriptions in Bentley, Bentley does not anticipate Applicants' invention in structure or function. Bentley does not have a repository of software

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programs that have been developed over a period years. Bentley contains information related to engineering projects. The execution of any of the tools in Bentley is for management and manipulation of engineering project information and not external applications of a user.

Contrary to the examiner's statement that all elements of Applicants' are disclosed in the cited reference, the element a database for storing software programs, developed over a period of time, each software program being stored as a separate and independent software program; as described and claimed in claim 1 is not, so the rejection is unsupported by the art and should be withdrawn. Further, the creating and accessing elements as claimed in claim 10 are not disclosed in Bentley, so the rejection of this claim is also unsupported by the art and should be withdrawn.

In view of the above, Applicants respectfully submit US Patent 6,341,291 (Bentley) does not anticipate Applicants' described invention. Applicants further submit that all of the pending claims are in condition for allowance. Applicants believe that no additional search should be required in view of the type of amendments Applicants made to the claims. Therefore, withdrawal of the rejections and passage to issuance is respectfully requested.

Respectfully Submitted,



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